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ARTICLE 32. SOIL AND WATER CONSERVATION

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Chapter 1. Legislative Policy

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Conservation declarations

Sec. 1. The following are declared as a matter of legislative determination:

- (1) That the land and water resources of Indiana are among the basic assets of Indiana and that the proper management of these resources is necessary to protect and promote the health, safety, and general welfare of the people of Indiana.
- (2) That improper land use practices and failure to control and use rainfall and runoff water cause and contribute to deterioration and waste of these resources of Indiana.
- (3) That the breaking of natural grass, plant, and forest cover has interfered with the natural factors of soil stabilization, causing loosening of soil and exhaustion of humus and developing a soil condition that favors excessive runoff and erosion, with the following results:
 - (A) The topsoil is being blown and washed out of the fields and pastures.
 - (B) There has been an accelerated washing of sloping fields.
 - (C) These processes of erosion by wind and water speed up with removal of the topsoil, exposing the less absorptive, less protective, less productive, and more erosive subsoil.
- (4) That valuable water resources are being lost causing damages in watersheds.
- (5) That failure by a land occupier to properly manage the soil and water causes a washing and blowing of these resources onto other land and makes the conservation of these resources on the other land more difficult.
- (6) That the consequences of soil erosion and failure to control and use rainfall and runoff water are the following:
 - (A) The silting and sedimentation of stream channels, reservoirs, dams, ditches, and harbors.
 - (B) The loss of fertile soil material.
 - (C) The piling up of soil on lower slopes and the deposit over alluvial plains.
 - (D) The reduction in productivity or outright ruin of bottom land by flooding and overwash of poor subsoil material, sand, and gravel swept out of the hills.
 - (E) The deterioration of soil and the soil's fertility, deterioration of crops grown, and reduction in crop yields.
 - (F) The loss of soil and water that causes destruction of food and cover for wildlife.
 - (G) A blowing and washing of soil into streams and lakes

that silts over spawning beds and destroys water plants, diminishing the food supply of fish.

(H) A diminishing of the underground water reserve and loss of surplus rainfall runoff causing water shortages, intensifying periods of drought, and causing crop failures.

(I) An increase in the speed and volume of rainfall runoff, causing severe and increasing floods.

(J) Economic hardship for those attempting to farm land that is eroded or subject to frequent flooding.

(K) Damage to roads, highways, railways, farm buildings, and other property from floods and from dust storms.

(L) Losses in navigation, hydroelectric power, municipal water supply, recreational water development, irrigation developments, farming, and grazing.

(7) That to conserve soil and water resources, control and prevent soil erosion, reduce flood damage, and further the conservation development, use, and disposal of water, it is necessary that:

(A) land use practices contributing to soil and water wastage and soil erosion be discouraged and discontinued; and

(B) appropriate soil and water conserving land use practices and works of improvement for flood prevention or the conservation development, use, and disposal of water be adopted and carried out.

(8) That among the procedures necessary for widespread adoption are the following:

(A) Carrying on of engineering operations such as the construction of flood preventing reservoirs and channels, terraces, terrace outlets, check dams, dikes, ponds, ditches, and similar operations.

(B) The use of soil protecting agronomic practices such as strip cropping, contour cropping, and conservation tillage.

(C) Land irrigation.

(D) Seeding and planting of sloping, abandoned, or eroded land to water-conserving and erosion-preventing plants, trees, and grasses.

(E) Forestation and reforestation.

(F) Rotation of crops.

(G) Soil stabilization with trees, grasses, legumes, and other thick-growing, soil-holding crops.

(H) Retardation of runoff by impounding the runoff water behind structures, by increasing the absorption of rainfall, and by retiring from cultivation all steep, highly erosive areas and areas already badly eroded.

As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.7.

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Conservation policies

Sec. 2. In light of the determination set forth in section 1 of this chapter, it is the policy of the general assembly to provide for the

proper management of soil and water resources, the control and prevention of soil erosion, the prevention of flood water and sediment damage, and the conservation development, use, and disposal of water in the watersheds of Indiana to accomplish the following:

- (1) Conserve the natural resources, including wildlife.
- (2) Control floods.
- (3) Prevent impairment of dams and reservoirs.
- (4) Assist in maintaining the navigability of rivers and harbors.
- (5) Protect the water quality of lakes and streams.
- (6) Protect the tax base.
- (7) Protect public land.
- (8) Protect and promote the health, safety, and general welfare of the people of Indiana.

As added by P.L.1-1995, SEC.25. Amended by P.L.136-1997, SEC.8.